

# SIKKIM

## GOVERNMENT



## GAZETTE

**EXTRAORDINARY  
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Friday 31<sup>st</sup> December, 2021

No. 384

**GOVERNMENT OF SIKKIM  
LAND REVENUE & DISASTER MANAGEMENT DEPARTMENT  
TASHILING SECRETARIAT, BLOCK-B  
GANGTOK, EAST SIKKIM**

No. 51/LR&DMD/ACQ/GOS

Dated: 31/12/2021

**NOTICE UNDER SECTION 11(1) OF RIGHT TO FAIR COMPENSATION AND  
TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT,  
2013 (ACT 30 OF 2013).**

Whereas it appears to the appropriate Government that land is likely to be needed for public purpose, namely for the Construction of Teesta-IV HE Project (520 MW) by NHPC Limited, (A Government of India Enterprise) in the sub-division of Dzongu, Mangan and Kabi under North District, Sikkim.

And whereas several pieces of land in various Revenue Blocks under the abovementioned sub-divisions are likely to be needed for the aforesaid public purpose and whereas the details of such lands comprising several cadastral plots are hereby notified under the "schedule of properties" measuring more or less an area of 177.8148 hectare (Private Land) and 3.7964 hectares (Departmental Land) totaling an area of 181.6112 hectares.

### **"SCHEDULE OF PROPERTIES"**

**Tanek Block:**

**Private Land** bearing Plot Nos. 15,17,18,19,29,430/725,17/758 measuring more or less area 1.2880 hectares.

**Departmental Land** Plot Nos: 450 measuring more or less area 1.4320 hectares are bounded on the;

<b>EAST</b>	:	Dikchu-Rangrang Road and Sikkim -Sarkar (Khasmal).
<b>WEST</b>	:	River Teesta.
<b>NORTH</b>	:	Kholsa and Sikkim -Sarkar (Khasmal).
<b>SOUTH</b>	:	Sikkim-Sarkar (Khasmal).

**Swayem Block:**

**Private Land** bearing Plot Nos.4, 4/A, 4/B, 5, 6, 7, 8, 13, 14, 20, 21, 24, 4/960, 4/960/A, 4/960/B, 5/1073, 960/1075 measuring more or less area **4.8540** hectares are bounded on the :

**EAST** : Dikchu-Rangrang Road.  
**WEST** : River Teesta.  
**NORTH** : Namok Khola.  
**SOUTH** : Sikkim-Sarkar (Khasmal).

**Lower-Mangshilla Block:**

**Private Land** bearing Plot Nos.3, 5, 5/1141 & 3/995 measuring more or less area **3.2360** hectares are bounded on the :

**EAST** : Private holding.  
**WEST** : River Teesta and Sikkim –Sarkar (Khasmal).  
**NORTH** : Block boundary upper Mangshilla.  
**SOUTH** : Sikkim-Sarkar (Khasmal).

**Upper- Mangshilla Block:**

**Private Land** bearing PlotNos.3,6, 18, 20, 21, 23, 24, 25, 27, 28, 29, 30, 55, 56, 68, 73, 74, 75, 76, 78, 79, 80, 83, 84, 85, 87, 94, 95, 96, 97, 98, 100, 101, 102, 103, 104, 111, 112/P, 121, 122, 123, 124, 125, 18/645, 30/646, 84/683, 98/735, 98/736, 20/795, 21/796 21/797, 29/798, 20/804, 21/805, 29/806, 21/810, 83/857, 83/865, 83/871, 83/876, 83/881, 83/892, 83/901, 94/911, 95/912, 124/972, 85/975, 125/976, 85/978, 805/1051, 87/1094, 87/1098, 865/1115, 865/1116, 865/1117, 871/1120, 871/1121, 871/1122, 871/1123, 102/1128, 84/1129, 84/1130, 84/1131, 683/1132, 683/1133, 805/1134 and 805/1158 measuring more or less area **28.5013** hectares are bounded on the :

**EAST** : Dikchu-Rangrang Road.  
**WEST** : River Teesta  
**NORTH** : Block boundary Tingchim, Dikchu Rangrang Road, Private holding, Village Road and Sikkim Sarkar (Khasmal).  
**SOUTH** : Block boundary Lower Mangshilla, Kholisa, and Sikkim Sarkar (Khasmal).

**Tingchim Block:**

**Private Land** bearing Plot Nos.122, 123, 125, 126, 127, 128,129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 160, 161,162, 163, 204, 205, 206, 207,208, 209, 212,213, 214, 215, 216, 218, 219, 220/P, 221/P, 222, 224, 225, 226, 227, 228, 229, 230, 231, 233, 234, 235, 236, 237, 238, 239, 240, 241, 243, 245, 248, 249, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261/P, 262, 265, 265/A, 266, 267, 268, 269, 123/886, 261/887/P, 256/888, 256/889, 261/890, 261/891/P, 261/892, 153/895, 259/982, 224/1024/P, 224/1027, 224/1029, 259/1056, 164/1073, 164/1074, 164/1075, 164/1076, 240/1085, 240/1092, measuring more or less area **25.2120** hectares are bounded on the :

**EAST** : Gangtok Chungthang Road, Private holding and Sikkim Sarkar(Khasmal).  
**WEST** : Private holding and Sikkim Sarkar (Khasmal).  
**NORTH** : Private holding, Kholisa and Sikkim Sarkar (Khasmal)  
**SOUTH** : Upper Mangshilla Block, Private holding, Kholisa and Sikkim Sarkar (Khasmal).

**Kazor Block:**

**Private Land** bearing Plot Nos 320, 321, 322, 323, 324, 326, 327, 328, 329, 330, 340/P, 341/P, 342/P, 358/P, 361/P, 362, 363/P, 331/481, 319/482, 331/483, 325/484, 2/485/P, 319/486, 319/488, 319/489, 320/491, 319/495, 359/496, 364/530, 330/566, 530/571 measuring more or less area **4.8250** hectares are bounded on the :

**EAST** : Approach Road to power House site of Teesta Urja, Sangkalang Road and Sikkim Sarkar(Khasmal)  
**WEST** : River Teesta  
**NORTH** : Sikkim Sarkar (Khasmal).  
**SOUTH** : Malling-Singhik Block.

**Malling-Singhik Block:**

**Private Land** bearing Plot Nos. 3, 4, 9, 9/A, 49, 51,52, 54, 61, 62/P,143,145/P,3/504, 3/528, 528/534, 3/607, 49/708, 143/761, 52/717, 717/775 measuring more or less area **4.9240** hectares are bounded on the :

**EAST** : M.S.Road, Private holding, Jhora and Sikkim Sarkar(Khasmal).  
**WEST** : River Teesta and Sikkim Sarkar (Khasmal).  
**NORTH** : Kazor Block Boundary, Sikkim Sarkar (Khasmal), Abandoned Road, Private holding, Kholsa  
**SOUTH** : Jhora, Sikkim-Sarkar (Khasmal), Private holding, Kholsa.

**Zimchung Block:**

**Private Land** bearing Plot Nos.236, 237, 238, 239, 240, 241, 245, 246, 247, 248, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282,283, 284, 285, 286, 287, 288, 289, 331, 332, 333, 334, 335, 336, 337, 338, 368, 369, 370, 372, 280/534, 282/535, 337/536, 289/537, 248/541, 278/669, 238/800, 254/851, 265/862, 267/863, 254/869, 279/893, 251/1041, 862/1087 measuring more or less area **29.9920** hectares are bounded on the :

**EAST** : Private holding, Slip area, Village Road and Sikkim Sarkar(Khasmal).  
**WEST** : River Teesta, Malling –Singhik Block and Sikkim Sarkar (Khasmal).  
**NORTH** : Abandoned Road, Private holding and Sikkim Sarkar (Khasmal).  
**SOUTH** : River Teesta, Private holding and Sikkim Sarkar (Khasmal).

**Gor-Taryang Block:**

**Private Land** bearing Plot Nos.667, 669, 670,671,672, 673, 674, 675, 676, 677, 679, 681, 684,685, 686,687, 688, 689, 690, 691, 692, 693, 696, 701, 703, 809, 809/A,809/B, 811/P, 860, 861/P, 861/A, 862/P, 862/A, 863/P, 863/A, 870, 871, 947, 948, 950, 951, 953, 1157, 1159, 1160, 1161, 1164, 1165, 1166, 1167, 1159/1218, 951/1248, 953/1257, 953/1258, 673/1263 measuring more or less area **24.9650** hectares.

Departmental Land Plot nos. 680 measuring more or less area 0.2300 hectares are bounded on the :

**EAST** : Sikkim Sarkar (Khasmal) & Teesta River.  
**WEST** : DSM Road, PWD Road and Sikkim Sarkar (Khasmal).  
**NORTH** : Private holding, Khola and Sikkim Sarkar (Khasmal).  
**SOUTH** : Private holding, Khola, PWD Road and Sikkim Sarkar (Khasmal).

**Gor-Sangdong Block:**

Private Land bearing Plot Nos.461/A, 463/A, 468/A, 469, 470, 475, 478, 479, 481, 482, 486, 487, 488, 489, 490, 491, 493, 494, 495, 496, 499, 500, 501, 503, 504, 505, 508/A measuring more or less area 9.1900 hectares are bounded on the :

**EAST** : Teesta River.  
**WEST** : Private holding.  
**NORTH** : Private holding.  
**SOUTH** : Private holding and Khoisa.

**Hee-Gyathang Block:**

Private Land bearing Plot Nos.1533/P, 1534/P, 1536, 1537, 1538, 1540, 1541, 1542, 1543, 1544, 1545, 1546/P, 1547, 1548/P, 1600/P, 1601/P, 1602/P,1605/P, 1613/P, 1614, 1615, 1616, 1618, 1620, 1624, 1625, 1627, 1628/P, 1629, 1630/P, 1631, 1632, 1633, 1635, 1636, 1637, 1639, 1640/P, 1641/P, 1653/P,1655/P,1656/P,1637/2381, 1630/2411, 1633/2412, 1615/2413, 1630/2414, 1630/2430, 1628/2434, 1636/2439, 1656/2455, 1655/2456 measuring more or less area 24.5400 hectares are bounded on the :

**EAST** : Teesta River and Ring Khola.  
**WEST** : Private holding.  
**NORTH** : Ring Khola.  
**SOUTH** : Teesta River.

**Barfok Block:**

Private Land bearing Plot No .1218 measuring more or less area 1.7020 hectares.

Departmental Land plot nos. 1188,1192,1197,1198,1201/P, 1204, 1205/P, 1207/P, 1213/P, measuring more or less area 1.4880 hectares are bounded on the :

**EAST** : Teesta River.  
**WEST** : Private holding and Sikkim Sarkar (Khasmal).  
**NORTH** : Lingdong Block, Forest departmental land and Sikkim Sarkar (Khasmal).  
**SOUTH** : Ring Khola.

**Lingdong Block:**

Private Land bearing Plot Nos. 231, 232, 234, 245/A, 245/B, 315,316, 318, 366, 367, 427, 430/P, 432, 435, 437, 440, 615, 616,617, 618, 619, 620, 622, 623, 625, 667, 668, 669, 698, 700, 701, 703, 706, 709,712, 667/751, 427/770, 619/780, 366/826 measuring more or less area 13.5435 hectares are bounded on the:

**EAST** : Teesta River  
**WEST** : Private holding  
**NORTH** : Private holding  
**SOUTH** : Boundary with Barfok Block

**Lingthem Block:**

**Private Land** bearing Plot Nos. 691/P,707,708,709 measuring more or less area **1.0420** hectares

**Private Land (NGO)** bearing Plot Nos. 642/2056 measuring more or less area **0.0300** hectares

**Departmental Land (Khel Maidan)** bearing plot nos. 640/P, 642/P measuring more or less area **0.5628** hectares

Forest Departmental Land bearing Plot No. 636/2008/P measuring more or less area **0.0536** hectares are bounded on the.

**EAST** : SPDCL Ltd and Teesta River.  
**WEST** : Lingdong Block.  
**NORTH** : PWD Road, Sikkim Sarkar.  
**SOUTH** : Teesta River.

And whereas prior to issuance of this notification, a Social Impact Assessment Study was carried out by the Social Impact Assessment (SIA) unit along with Administrative Staff College of India, Hyderabad. The summary of the SIA report is hereby annexed at "Annexure-A".

And whereas on account of the above displacement, the Additional District Collector, North District have been notified as the Administrator, as per the provision of section 43 of the Act, for the purpose of Rehabilitation and Resettlement.

Now, therefore, this notification is being published under the provisions of section 11(1) of the right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, (Act 30 of 2013), for all to whom it may concern.

No person shall make any transaction or cause any transaction of land i.e. Sale/ purchase etc. or create any encumbrance on such land from the date of publication of such notification without the prior approval of the District collector, North Sikkim.

Any person interested, in any land, which has been notified as above may within 60 (sixty days) from the date of publication of this notification, object to-

- (a) the area and suitability of land proposed to be acquired;
- (b) justification offered for public purpose;
- (c) the findings of the Social Impact Assessment report.

A plan of the land may be inspected in the Office of the Collector, North on any working day during the working hours.

**(Sarala Rai, IAS)**  
**Secretary - cum - Relief Commissioner,**  
**Land Revenue & Disaster Management Department,**  
**Government of Sikkim, Gangtok.**

## CHAPTER I

## EXECUTIVE SUMMARY

### 1.1 Project and Public Purpose

NHPC Limited, a Government of India Enterprise proposes to construct Teesta Stage-IV Hydro Electric Project (HEP), a run-off the river hydro project with an installed capacity of 520 MW. The project is a part of the Teesta cascade evolved by the Central Water Commission (CWC) and is located between Teesta-III HE Project on the upstream and Teesta-V Project in the downstream.

The RFCTLARR Act, 2013 (2013 Act, henceforth) states that provisions relating to land acquisition, compensation, rehabilitation and resettlement, shall apply, when the appropriate Government acquires land for its own use, hold and control, including for Public Sector Undertakings (PSU) and for public purpose. NHPC Ltd. is a wholly owned undertaking of the Government of India, established with an objective to plan, promote and organise an integrated and efficient development of hydroelectric power in the country. The proposed land acquisition is, hence, for a PSU and for generation of electricity which is an activity classified as a public purpose in the 2013 Act.

### 1.2 Location

The project is located in Mangan subdivision of North district in Sikkim. The project envisages construction of 65m high concrete gravity dam across the river Teesta near Chandey village, an underground power house having four units of 130MW each. The water of Teesta river will be diverted through two Head Race Tunnels (HRT) of about 6.6 & 6.5 kms length respectively to an underground power house proposed to be located on the right bank of the river near village Phidang which falls in Dzongu area of North Sikkim.

Teesta River flowing through North Sikkim



**1.3 Size and Attributes of Land Acquisition**

The project envisages acquisition of private land in fourteen revenue blocks of North District. Out of these 14 revenue blocks, 8 blocks are located on left bank while 6 blocks are located on right bank of River Teesta. The total land requirement for the project is 272.84, out of which 177.43 is private land and 92.10 ha is Khasmal land. The proportion of Khasmal land is more on the right bank of the river. About 58 percent of the private land proposed to be acquired lie on the left bank of the river, with the revenue blocks of Zimchung, Upper Mangshila and Tingchim together comprising more than 80 percent of this requirement. The two revenue blocks of Gor Taryang and Hee Gyathang have about 66 percent of the land on the right bank of the river.

Besides private land and Khasmal land, the proposed acquisition also entails acquisition of 3.31 ha of land belonging to government departments. This includes land of the Forest Department in Tanyek (1.432 ha), Barfok (1.594 ha), Passingdang (0.0536 ha) and Animal Husbandry Department in Gor Taryang (0.23 ha).

**1.4 Alternatives Considered**

The original dam axis of Teesta IV project, proposed by the CWC was located on the Namprikdang Mela ground, an area of immense historical and cultural importance for the Lepcha community. The small and grassy flatland in the Dzongu valley is believed to connect the mythical abode of Lepcha ancestors. The first alternative to safeguard the ground against submergence was the lowering of the Full Reservoir Level (FRL). However, despite a substantial reduction in the FRL it would not have been possible to avoid damage to the Mela ground due to construction activities. Hence, alternatives for locating the most promising dam location were carried out. Out of the four alternatives considered, two were rejected on technical grounds. The third alternative was rejected owing to its potential for creating disturbance to the mela ground. Among the alternatives considered by the Project Authority, the only other technically feasible alternative is the one that damage the culturally important Mela ground.

In the revised alignment now proposed for the project, the location for the dam axis is located at the downstream of the confluence of Runchu nallah, with an underground Power House on the right bank. This is nearly 4 kms from the Namprikdang Mela Ground. The FRL was reduced by 13 m i.e., from El 768 m to El 755 m to reduce the adverse impacts. The project structures on the right bank have been kept underground except for Adit portals, Right Bank dam abutment and Tail Race Tunnel (TRT) outlets. To reduce the impacts on the day-to-day activities of the community, the access to the various project components are planned through access tunnels. The feasibility of underground project components on the left bank was assessed and found technically not feasible.



**1.5 Social Impact:****I. Direct Impact on Land and Assets****Affected Landowners**

- The total land requirement for the project is 272.84, out of which 177.43 is private land. There are 290 landowners/ 275 landowner families who will lose their private land for the project. The affected landowners who are only losing private land (and not their place of residence) comprise the majority of the affected families. Among the 231 families surveyed, 224 families belong to this category.
- The magnitude of impact is high on 64 landowner families. After the acquisition of land for the project, nine families will become landless and 55 others will become marginal landowners.

**Displaced Families**

(i) **Landowners:** Contrary to earlier reports, the project entails some displacement. There are seven Project Displaced Land owner Families (PDFs) on the left bank who will lose their residential structure along with land in the affected area. The displaced landowners belong to Mangshila Tibuk GPU (4) and Tingchim-Chandey GPU (3).

**(ii) Non-titleholders**

- There are 76 non-titleholder families (population of about 400 people) residing on private land in the affected area through informal arrangements (cash/kind) with the landowner. About 87 residential structures of non-titleholders exist in the affected area, out of which seven were vacant and few were inaccessible. Out of the 76 resident families residing in the area and surveyed by the Study team, 41 are Nepali citizens and 35 are Indians. Importantly, 8 out of 35 Indian non-titleholders residing in the affected area have bonafide Certificate of Identification (COI). About 68 percent of the houses are constructed by the non-titleholders themselves.
- Barring three households who primarily depend on farming in the affected area, the other non-titleholder resident families are engaged in various occupations such as labourers with Border Roads Organisation/Quarry; carpenters, drivers, and mistry with contractors; shop keepers, tailors, etc. These households will not bear a direct impact on their livelihood as a result of displacement. However, the transitional/relocation phase will be critical. Many such families have been staying in the affected area for more than a decade and are living a settled life with domesticated animals. Besides the residential structures, there are 32 hen-sheds, 23 cows-sheds, 23 goat-sheds and 21 pig-sheds in the affected area.

**(iii) Encroachers/Squatters on Government Land**

- There are seven families staying in land owned by the Forest Department at Tanyek. Out of the seven families, three families are staying on rented houses constructed by the one of the encroachers.

**Land Use on Proposed Land**

- The land use of the affected area reflects a mix of farm crops, forest vegetation and vacant plots. The proportions of land under farm crops and forest vegetation are reportedly 44 percent and 43 percent respectively. These figures are based on the information provided by the landowners during the survey. However, the



verification exercise conducted by the SIA team in the affected area indicated marginal to low levels of farm crops. Further, the satellite images (gathered from NRSC, Hyderabad) confirms a massive decline in farm crops and forest vegetation over the last decade. The prominent farm crops cultivated in the area include Cardamom, Maize, Ginger, Amliso and Iskus. The important trees are Panisaz, Chilowni, Lapsi, Utis Bamboo, Katus and Kimbu (i.e., Mulberry tree). Fruits grown in the orchards include Banana, Oranges, Jackfruits, etc.

- There are two quarries, one on the private land and another one on the forest land that is proposed for acquisition.
- The departmental land proposed for acquisition in Gor Taryang houses a veterinary hospital of the animal husbandry department (0.23 ha), and a nursery belonging to the forest department in Tanyek (1.432 ha). A nursery is also being planned by the forest department at Barfok where 1.594 ha of departmental land is proposed to be acquired.

## **II. Impact on Common Property Resources (CPR)**

- About 2.35 percent of total khasmal land in the ten affected Gram Panchayat Units (GPU) is proposed to be diverted for the project. The largest proportion of khasmal land is proposed to be diverted from Zimchung (22.39%), Upper Mangshila (7.46%) and Lingdong (5.38%). Most of the affected households have domesticated dairy animals, the products of which are either used for self consumption or for supplementing their primary source of income. According to the census survey conducted by the SIA Study, 43 percent of the total surveyed households use firewood for cooking. This proportion is significantly higher at 68 percent in Dzongu region.
- The riverine area also serves as provisioning food products to the local communities and, hence, acquisition of forest land will adversely impact nutrient rich food availability and increase pressure on forest resources. The recognition of individual and community claims is a process still in progress. The impact on households will be varied depending on the steps taken to ensure access to the remaining Khasmal land that will be available for the community.

## **III. Impact on Vulnerable Households**

Any land acquisition project causes differential impacts and some households/individuals are more prone to the risks of poverty. Though vulnerability may not be project-induced, the pre-existing conditions get accentuated by the project-induced impacts. The following categories are identified as vulnerable households:

- Land owners who become landless/marginal after acquisition: There will be nine landless and 55 landowners becoming marginal post acquisition.
- Vulnerable women-headed households: There are four vulnerable women headed families among the landowners and three among the non-titleholder families.
- Families with disabled/chronically ill members (Mental/Physical): Out of the 19 families that were classified under this category, 12 PAFs have members with recurring health needs.
- Elderly population (with high support needs): There are 24 people above 70 yrs of age and 14 people above 80 years of age among the PAFs.

**IV. Impact on Social and Cultural Life of the Tribal Community**

- The potential for conflicts between the migrant workers and the local community owing to their religious, cultural or ethnic differences is high. The influx of workers and service providers into communities may increase the rate of crimes, risk of communicable disease and cause environmental issues, if not adeptly managed.
- The impact of labour influx is a significant concern for the community on both the banks. The apprehension that many of the incoming population will stay back does have substance. At least half of the non-titleholders have been staying in the affected area for more than a decade and more than one-third of them have been residing for two or more decades; some of whom are also possessing documents like Voter ID, Aadhar and ration cards.

**V. Impact on Environment**

The community in all the affected areas has raised serious concerns about the environmental impacts during the construction/operation phase of the project. These relate to aesthetic impacts (damage to the serene/beautiful natural environment); long term environment impacts to the region (blasting in environmentally fragile area; stoppage of free flow of the natural river; improper rim treatment, etc.); economic impacts (damage to houses/crops); and health impacts (pollution related and entry of migrant force in the region).

**V. Impact on Indigenous People of Dzongu Region**

- Our perception towards tribal/indigenous communities are mostly coloured by our view of development and ways and means of bringing these communities within the realm of the same. However, to provide a fairer understanding of the aspirations and conflicts within the community, it is important to have a broader exploration of the contextual history and current realities facing these communities.
- The Dzongu region, from where 75/54 hectares of private/ forest land is proposed for the project apart from housing the underground components of the project, is a Lepcha reserve, an area where outsiders require a special permit to enter and where none other than resident Lepchas of Dzongu can own land. Presently, this holy land of Lepchas is a deeply divided society. This is indeed one of the most important adverse impact of the project. While the majority of land owners are supporting the project (given that they voluntarily travelled to the left bank to meet the SIA study team and be part of the census survey/consultations and attended the public hearing at Mangan after taking permission from the District Collector), the ordinary residents of the area perceive the project as causing irreparable damage to their natural environment and also not benefiting them in any significant manner. In other words, the division may be propelled by the perception that it is only few landowners who would benefit from the project while adverse environmental impacts will be borne by the entire community.
- The socio-economic risks that are of primary concern to the Dzongu community include 'threat to the 'protected area status of Dzongu' /indigenous culture and tradition owing to influx of outsiders into the region, tardy implementation of

Environment Management Plan (EMP) on the environment and life of the indigenous people of the Dzongu area who worship their natural environment', inequitable distribution of project benefits and lack of benefit sharing mechanisms.

- The representatives of GPUs had resisted innumerable formal and informal request of the Study team to take part in the process or share their views. This was the greatest challenge faced by the Study. Despite the above challenges, the Study carried out elaborate informal consultations and extensive survey of literature/documents specifically on the Dzongu region.

#### **Mitigation Measures**

- The Social Impact Management Plan (SIMP) has recommended measures for avoidance/minimization of potential risks to the community in the project affected area. The plan also provides for comprehensive mitigation measures for the unavoidable impacts during various phases of the project cycle. The plan has recommended a comprehensive grievance redressal mechanism, monitoring and evaluation arrangements and also strengthening the institutional arrangements to implement the plan. The mitigation measures proposed for the Pre-construction phase include a Community Engagement Plan, R & R Plan and a Plan for the Vulnerable Households. The Construction phase includes a Labour Influx Management Plan and a Muck Disposal Plan. The Plans for implementation during the project life cycle/operation phase includes Community Development Plan, Livelihood Promotion Plan and Local Area Development Plan.
- The mitigation steps proposed to compensate impacts includes four measures – first, the compensation and R & R as outlined in the 2013 Act; second, measures that the Requiring Body has already committed in its EMP along with supplementary measures for strengthening implementation by the SIA Study; and third, the additional measures proposed by the SIA Study and that the requiring body has agreed to implement; fourth, additional recommendations put forth by the community during public hearing (incorporated through a lump sum amount in the SIMP budget).
- Though the 2013 Act provides for a specific formula for calculation of land compensation under Sections 26-30 and Schedule I, the transaction of agricultural land which is inherited from one generation to another is almost negligible/nil in North Sikkim. There are also extremely limited/nil transactions of land in half of the affected revenue blocks. The Study, therefore recommends the State Government to arrive at the floor price of land so that landowners receive a fair compensation for their ancestral land.
- The Study recognises that Teesta Stage IV is a much delayed project. Not only has the project suffered in terms of the time/cost overruns, but also the affected landowners have been prevented from making productive investments in the lands proposed for acquisition. A declining cardamom cultivation and absence of major tourism infrastructure has done little for the general prosperity of the region. The Study has therefore proposed a comprehensive R & R plan for all the Project Affected Families (PAFs), in line with the entitlements prescribed in the

Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 (2013 Act, henceforth). From 231 landowner families, 802 separate family units (787 units for PAFs and 15 for PDFs) have been carved out for provision of separate R & R entitlements.

- All the affected and displaced families including the three identified non-titleholders losing livelihood are entitled to compensation and R & R as per the 2013 Act. For the seven displaced landowner families, the Study has recommended their housing entitlements within the colony area of NHPC in Tingchim. The non-titleholders of Indian/Nepali origin and the encroachers/squatters losing structures have been recommended varying entitlements comprising compensation for structure, cost of Indira Awaas Yojana (IAY) house, transportation allowance etc. The Study recommends special provisions for the vulnerable households beyond the mandate of the 2013 Act. This includes land for land/additional compensation for 1 ha of land, if government land is not available to landowners becoming landless/marginal after acquisition (provided in the EMP); priority for facilitating land purchase in case of the most vulnerable households (belonging to landless category); additional rehabilitation grant of Rs. 75000/- and priority in self employment/skill building initiatives for vulnerable women headed households; medical allowance of 1 lakh/2 lakhs for the 70 plus/80 plus members of PAFs and free treatment in NHPC project hospital and financial sponsorship in NHPC's empanelled hospitals to chronically ill/non-insured members of landowner families. The total budget for R & R plan of surveyed families is estimated at 60.41 crores (including provisioning for non-surveyed families; forest title-holders and contingency). This is excluding the Rs 14.12 crore already provided under the project EMP R & R plan
- The Study recommends a Comprehensive Dzongu Indigenous People Development Plan (DIPDP) aimed at addressing concerns raised by the community as well as benefiting the region as a whole. To address security issues from the influx of outsiders into the region, the Study recommends introduction of modern computerized check posts at Phidang, Bringbong and Sanklang; stringent procedures for issuance of Identity Cards to Contractors/Construction Workers; issuance of permits, etc. To address issue of fair price to the land owners, the plan strictly recommends the floor price to be fixed by the State Government for land compensation. For improving accessibility, the DIPDP proposes a motorable road from Rangrang (Bringbong) check post to Dzongu. The plan also proposes measures for promotion of cultural/eco-tourism in the area through various measures. Besides the renovation of the Nampridang Mela ground (which is already proposed in the project EMP), additional measures suggested in the SIMP include development of parks, fencing, compound wall, etc., in affected GPUs of Dzongu area; development of the natural lake at Gyathang as a tourist spot, construction of a Museum at Hee Gyathang for preservation of tradition, construction of Statue of the Lepchas Guardian Deity Thung Munsolong, traditional welcome gates at the entry points of Dzongu, etc. Some of these have been long standing demands of the community. To promote indigenous culture and tradition of the Lepcha community, the Study recommends sponsoring traditional events and festivals of the Lepcha community in Dzongu area, support to institutions promoting tradition and culture of the Indigenous Lepchas of Dzongu area on a continuing basis. On the

institutional front, the DIPDP proposes a customized Stage II Grievance Redressal Committee, Dzongu Area Monitoring Committee (DAMC) for effective implementation of the Plan besides strengthening the NHPC Implementation Cell with a Public Relations Officer from Dzongu. The landowners raised few other demands for infrastructural development/tourism promotion during public hearing. A lump sum amount of Rs. four crores for each Bank has been included in the SIMP budget to cater to the additional demands/fulfillment of earlier commitments by NHPC during various consultation meetings.

- Though It is not the mandate of the SIA Study to discuss the technicalities of the environmental issues in the construction phase, (covered under the EMP), the socio-cultural impacts from these merit serious attention, important among them being the issues of labour influx, muck disposal and blasting/pollution related impacts on houses/crops. The Study, therefore recommends comprehensive measures in addition to those already suggested in the Project EMP. These include steps for maximizing on the local work force in the construction phase, measures for enhancing community participation in the monitoring and implementation of the plan, suggestive inclusions in the contractual agreements to address the issue including penalties for non-adherence, measures to reduce the scope for labour-community interface and measures to address issues relating to women's security. For both issues of labour influx and muck disposal, the Study recommends community participation in the monitoring. In both cases, Committees headed by SDM, Mangan/SDM, Dzongu with members of respective wards (where labour camps/muck disposal sites are planned), representative(s) of affected landowners along with a representative of NHPC has been recommended. To provide for prompt settlement of claims (damage to houses/crops) during construction phase, the Study has recommended that an amount of 5 crores may be kept at the disposal of the District Collector in a specially designated account maintained for the purpose.
- The most important demand put forth by the community in all consultations was the provision for employment for local community. According to the information shared by NHPC, the estimated strength of the employees in class-III & IV categories during construction stage of the project under the 'direct recruitment' category is 103 and per the MoU signed between NHPC and Government of Sikkim, maximum of 52 persons can be recruited from the local area. The vacancies, posts, eligibility, remuneration (Gross and Net), skills/certification and age limit for the posts, as received from NHPC is included in the Report. Though the MoU provides for only 50 percent employment of locals (and not specifically to the PAFs) for the direct posts, the Study recommends that all the 52 jobs should be extended to the 275 landowner families from the ten GPUs, duly relaxing the experience clause provided for some categories. Looking at the vacancies available and the qualifications, each land owner family may nominate one representative for the preferred post. The final 52 direct posts may be strictly based on merit. NHPC may conduct an examination to select the candidate on merit (due weightage for performance in the exam, qualification and merit).
- The Study also recommends that after selection of direct recruits based on merit, those land owner families whose no member could get direct employment may be provided with employment option with the contracting agencies of the

project during the construction/operation phase (not lower than the minimum wages provided for any other law). However, after the commissioning of the project, if he/she (one representative of landowner family) could not be provided any other contractual jobs during O&M stage, or if they desire to leave the job at any point of time, they may be offered annuity option of Rs. 2000/-per month for 20 years per landowner family or one time lump sum payment of Rs. 5 lakhs. This additional provision is recommended for one nominated representative from each landowner families.

- In addition to the initiatives for skill development in the EMP, the SIMP recommends putting in appropriate measures to ensure that maximum extent of all employment openings in both the construction phase and operation phase of the project is received by the locals from the ten affected GPUs of North Sikkim. The Study recommends rigid clause in the contract that mention that employment in both the skilled/unskilled category will be provided to outsiders only if eligible qualified people do not exist in the 10 affected GPUs of Teesta Project. The Study recommends sharing the information on the nature of jobs during construction phase and O & M phase (provided in the Report) of the project with the ten local GPUs for skill based training, preparing a roster of interested workers and their skills, planning training programs to enhance the skills of eligible candidates and providing the list of such potential candidates to the contractors for recruitment consideration. Wherever appropriate, it can be emphasized that work permits can be provided only for workers with skills that are unavailable locally.
- NHPC may promptly start a special drive for need-based skill training in the affected GPUs. All affected landowner families may be allowed to nominate two members for the skill building training of their choice. Further, all the remaining households in the ten affected GPUs (approximately 3000) of the affected area, may also be provided an opportunity to nominate a member for the skill building initiatives. The Study also recommends priority to locals of affected GPUs while allotting petty Contracts during construction stage. Special workshops for tendering of petty contracts may be organized in all affected GPUs. The other areas where households from the ten GPUs may be provided job opportunities include running of project canteens, supply of dairy products, shops in shopping complexes, hiring of vehicles etc. Given that more than 100 locals have been engaged in the Indian Reserve Battalion for project security and as Home guards in the neighboring Teesta V Project of NHPC, such opportunities may be extended to Teesta IV project too. NHPC should also strengthen their existing Environmental Cell by recruiting additional staff including two Public Relations Officers (PRO) and two officers for the Public Information Centre (PIC) from the affected GPUs.
- The Study recognizes the declining yield of cardamom, the primary crop in the area and the vastly reduced agricultural area under cultivation and, hence, recommends enhanced livelihood promotion activities to address the issue holistically. The Study recommends promotion of tourism as an activity that has the potential to create many spinoffs for overall development of the area. Lying between Gangtok/Siliguri and Lachen/Lachung, Mangan, the district Head Quarters of North Sikkim District, holds tremendous potential as a tourism axis of

the region. Owing to paucity of local attractions, Mangan and the vicinity areas are unable to exploit its strategic location. The reservoir of the Teesta Stage IV project, once built, could serve as a major tourist activity spot and attract tourists to the area. The reservoir created by the project can also provide facilities for water sports, and can by itself become a standalone tourist attraction, besides attracting the tourists travelling to Lachung/Lachen Valleys for a stopover. The Study recommends facilities for infrastructure development at Zimchung Block (reservoir area) along with institutional arrangements for its implementation. While the funding of the initiative must be by NHPC, the operation can be taken by the Sikkim Tourism Development Corporation and private operators. A Tourism Fund is proposed with contributions from operators and through revenues flowing from the tourism initiatives for maintenance and development of the infrastructure. Similarly, the historical legacy of Dzongu may be used as a basis to develop branding strategies for promoting tourism on the right bank. The specific initiatives that will provide a boost to tourism in Dzongu area is provided in the in the DIPDP.

- The Study recognizes the importance of a Benefit Sharing Mechanism (BSM) in hydro projects. The BSMs go beyond compensation/mitigation measures; cover communities in the entire project affected area and stretches into operational phase while R & R concludes before the construction phase. The BSMs addresses adverse impacts of communities that are not covered under the resettlement program. Equitable and Inclusive, the BSMs can make the affected communities in the entire project affected area partners in the development process. With this objective, the Study has proposed a framework for institutionalization and implementation of the Local Area Development Fund (LADF). The revenue collected from the sale of one percent of free power (contributed by NHPC) may be transferred by the State Government to the LADF of the ten affected GPUs. The Study proposes distribution of 80 percent of the amount equally among all GPUs and 20 percent additional entitlement for the affected wards. The Study recommends constitution of a Local Area Development Committee (LADC) with community participation for administration of the LADF (after due approval of annual shelf of projects by the panchayats of the ten affected GPUs).
- Integrating CSR for the affected communities and those in the periphery area of the project is extremely important. The Study recommends NHPC to commit at least four crores annually during the construction phase towards the CSR expenditure in the ten affected GPUs of Teesta Stage IV Project. The Study recommends educational support/scholarship for meritorious students of the ten GPUs of the project for higher studies, support for SHGs and upgradation of social infrastructure, particularly health through the CSR funds. These recommendations are based on the the inputs received by the Study team during the consultation process. The Study recommends that the LADC proposed for implementation of the LADF may be constituted at the outset and be provided with the additional mandate of approving the annual shelf of projects to be implemented through CSR funds in each GPU.
- Given the scale of the project, a robust Grievance Redressal Mechanism (GRM) is a critical requirement for addressing the issues emerging from the project/SIMP



implementation in a hassle free manner. The Study proposes a two stage Grievance Redressal Committees (GRC) for the project, the constitution of which will be issue based. While Stage I GRC will be based at the project level, Stage II GRC is proposed to be the Monitoring Committees for each Bank; the Dzongu Area Monitoring Committee (DAMC) and Left Monitoring Committee (LBMC). For grievances relating to Labour Influx and Muck Disposal, the DAMC and LBMC will have representatives of the respective wards in which labour camps/muck disposal sites are planned. In order to maintain transparency and to keep PAFs informed, the Study recommends establishment of two Public Information Centres (PIC), one each in the right and left bank. The PICs may be established before the formulation of the R & R plan and may continue to function till the implementation of the R & R plan/community and social development plan.

- For effective and timely implementation of the mitigation measures proposed, putting in appropriate institutional arrangements for monitoring and implementation is vital. To provide exclusive focus to the issue and ensure community participation, the Study has proposed additional institutional arrangements for monitoring of specific issues relating to EMP implementation that were flagged as extremely critical by the community. The Monitoring Committees proposed with community participation should be constituted before the construction phase of the project. Adequate budget has been provided for effective functioning of the Committees. For implementation of R & R, the 12-member Project level R & R Committee as prescribed by the 2013 Act shall be mandatorily constituted. For effective monitoring of R & R, the Study recommends development of a web-based monitoring tool, the cost of which has been included in the SIMP budget. To lend more transparency and to ensure effective implementation of the SIMP, the Study proposes engaging of an independent agency to undertake external monitoring of the project implementation. This may begin with the preliminary notification to the implementation of the R & R plan/Community and Social development plan. The External Monitor will assess if the mandatory norms as the 2013 Act and those mitigation measures proposed in the SIMP/R & R plan are being implemented as provided for, suggest recommendations for improvement and also conduct impact evaluation on a sample basis during mid-term and project completion. The impact evaluation will provide an assessment of the status of the affected community and area after the implementation of the proposed mitigation measures in the SIMP.
- The successful implementation of the all the mitigation measures proposed in the Study requires a strong dedicated team within NHPC that can support the district administration. Most projects see poor implementation of the mitigation plans because of inadequate understanding of the enormity of the tasks/activities that requires to be undertaken to achieve success in the planned initiatives. The Study recommends naming the Project Environment Cell in NHPC as the 'Environment and Social Management Cell (ESMC)' and strengthening the ESMC with dedicated Officers; recruitment of a Social Development Officer (SDO) with requisite educational background and experience to supervise and monitor overall activities of R & R/Community and Social Management Plan; and Grievance Officer to handle grievances effectively. Besides, as already explained above, the Study recommends recruiting at least two Officers, one

from each of the Bank as Public Relation Officers during the implementation phase of SIMP. The Study recommends partnering with an experienced NGO for implementation of community/social development initiatives, particularly relating to skilling and self employment. In case of services of a good NGO with extensive experience in livelihood/income restoration is not found, NHPC may consider recruitment of Livelihood Expert along with Community Liaison officers from the affected GPUs. The Study proposes a budget of 3.05 crores for the institutional strengthening and effective monitoring mechanisms (including development of a software for monitoring and grievance management).

- The Study has provisioned a budget of Rs. 122.70 crores for effective implementation of the SIMP including Rs. 28.23 crores provided in the Project EMP for R & R/Community Development.

### 1.7 Assessment of Social Costs and Benefits

**Social Costs and Mitigation Measures:** The SIA Study comprehensively covers the social impacts of the project activities in different phases of the project cycle. These include the direct and indirect impacts of the acquisition of land and other issues relating to culture/security in the project affected areas at different stages of project construction. The Study recommends enhanced community engagement and transparent sharing of information with the affected communities to enhance the trust and rapport with the community. The Study recommends mitigation measures to address each of the identified risks. The proposed mitigation measures aims at the holistic development of the ten affected GPUs and, thus, goes far beyond the mandatory compensation/R & R norms prescribed by the 2013 Act. The Study also recommends benefit sharing mechanism in terms of institutionalization of the LADF with annual contribution of one percent annual power sales revenue to the 10 GPUs.

The Study proposes comprehensive internal and external monitoring mechanisms, including community participation measures to ensure effective implementation of the SIMP. The mitigation measures have been appropriately budgeted. The Study also recommends a committed amount of Rs. 4 crores towards Corporate Social Responsibility (CSR) till the completion of the construction phase. The Study recognizes that elaborate plans often fail to succeed and make an impact because of lack of appropriate monitoring arrangements (including community participation) and, most importantly, absence of dedicated staff for implementation. All these weaknesses have been duly addressed in the recommendations proposed.

**Social Benefits:** The Project is expected to generate 2373 MU of clean and green power and also act as a peaking power station for stabilizing the eastern grid. The State of Sikkim will receive 12 percent of free power (expected to be about Rs. 130 crore approximately). The specific benefits for the project affected families and local community of the ten GPUs are given below:

- Enhanced benefits beyond mandatory compensation and R & R benefits provided under RCTLARR Act, 2013.
- Increased employment opportunities (direct and indirect) to the local people during project construction and Operation and Maintenance (O & M) phases.

- Increased tourism potential in the area, leading to more income-generating opportunities for the local community.
- Improved infrastructure development through committed expenditure in the EMP, SIMP, CSR and LADF.
- Improved health care and educational facilities in the area.

If the SIMP is implemented as conceptualised, this will not only address the social costs imposed by the project, but also bring about overall development to the entire community/area. The revenue contribution to the State Government will be an indirect contribution for the development and prosperity of the State.

For the success of the plan, the following is extremely important and hence should be assured before going ahead with the project.

- Commitment of the State Government to institutionalize the LADF and constitute LADC for its effective implementation in the ten affected GPUs.
- Commitment by NHPC to finance and support implementation of the recommended mitigation plans in letter and spirit, including strengthening of the Project ESMC.
- Constitution of various committees with the participation of affected communities as recommended by the Study.